Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

Ent 486439 Bk 731 Pg 254 -266 Date: 27-MAY-2008 2:08PM Fee: None
Filed By: PL
MERLENE MOSHER DALTON, Recorder
GRAND COUNTY CORPORATION
For: STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Grand County as it pertains to the highway located in Grand County known as L H BULL CANYON ROAD; County Road Number: 00296; State Geographic Information Database (SGID) Road Identification Number: RD100143. Total road length is 2.94 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the day of may, 2008.

By the Governor's Designee

CERTIFICATION

State of Utah)	
	:	SS
County of Salt Lake)	

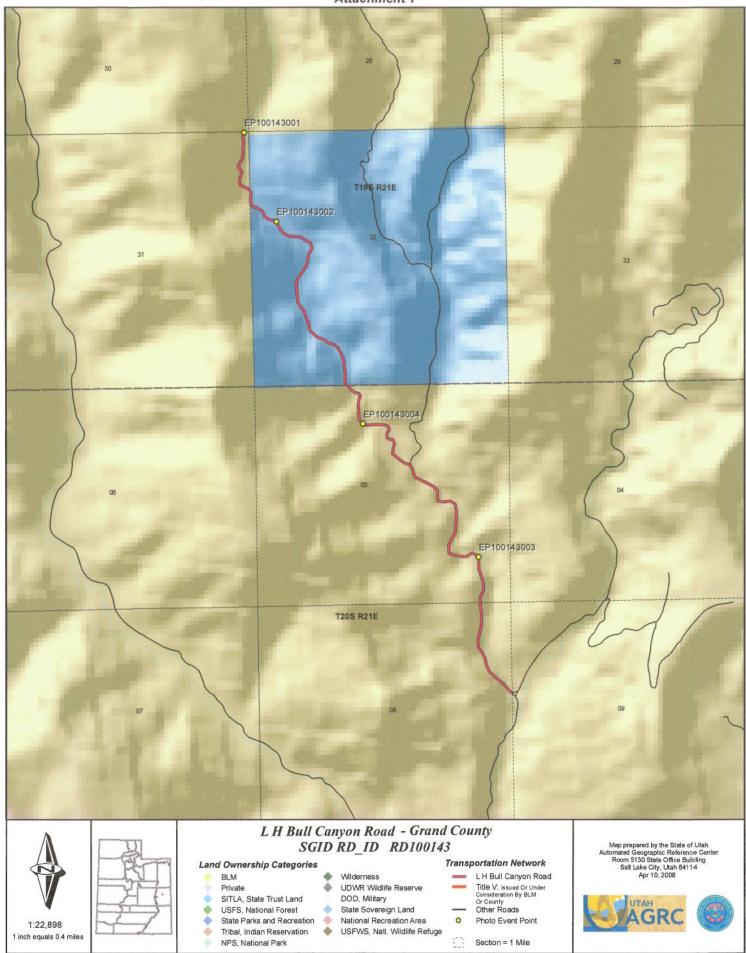
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

NOTARY PUBLIC PAMELA Z. BLACKHAM

Dated this 22nd day of May, 2008.

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L H Bull Canyon Road - Grand County
SGID RD_ID RD100143

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Satt Lake City, Utah 84114 April 14, 2008



Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: L H BULL CANYON ROAD

County: Grand

County Road Number: 00296

State Geographic Information Database (SGID) Road Identification Number: RD100143.

Total Road Length: 2.94 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 04 minutes 59.21 seconds North Latitude and -109 degrees 36 minutes 40.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,176,569.1 feet and Y = 6,840,428.9 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 06 minutes 054.2 seconds North Latitude and -109 degrees 37 minutes 48.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,170,955.7 feet and Y = 6,851,947.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 19 South Range 21 East, Section(s) 31,32, Salt Lake Base & Meridian Township 20 South Range 21 East, Section(s) 5,8, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: L H BULL CANYON ROAD

County: Grand

County Road Number: 00296

State Geographic Information Database (SGID) Road Identification Number: RD100143.

Total Road Length: 2.94 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD100143	001	BLM	1.68 Miles	A
RD100143	002	ST	1.02 Miles	(not shown)
RD100143	003	BLM	BLM 0.25 Miles	В
		Total Road Length	2.94	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

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AFFIDAVIT OF WILLIAM W. CUNNINGHAM

LH BULL CANYON ROAD

COUNTY ROAD NUMBER 00296

GRAND COUNTY, UTAH

State of Colorado)
	: ss.
County of Mesa)

WILLIAM W. CUNNINGHAM, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Mesa County, Colorado since 1991. My family and I owned and lived on a ranch in Grand County, Utah from 1927 to 1991.
- 2. I have traveled and am familiar with a road in Grand County known as LH Bull Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1940s, it followed the same route as in 1990, when I last observed it. Attached is a Grand County map showing LH Bull Canyon Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.
- 3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1940s and continuing through 1976 to 1990. Throughout this time period I have observed travel on the road by various means, including oil field vehicles, cattle trucks, trucks and jeeps. Throughout

this time period, the road has been used weekly, more than ten continuous years prior to 1976, and was so used in 1990.

- 4. Throughout the time period from the late 1940s to 1990, I have used the road myself for livestock operations and traveling in and through the area.
- 5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus oil and gas exploration and hunting.
- 6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- Prior to 1976, I observed the graded surface of the road. The road was first graded in the 1960s by the oil companies.

Dated this _____ day of September, 2007.

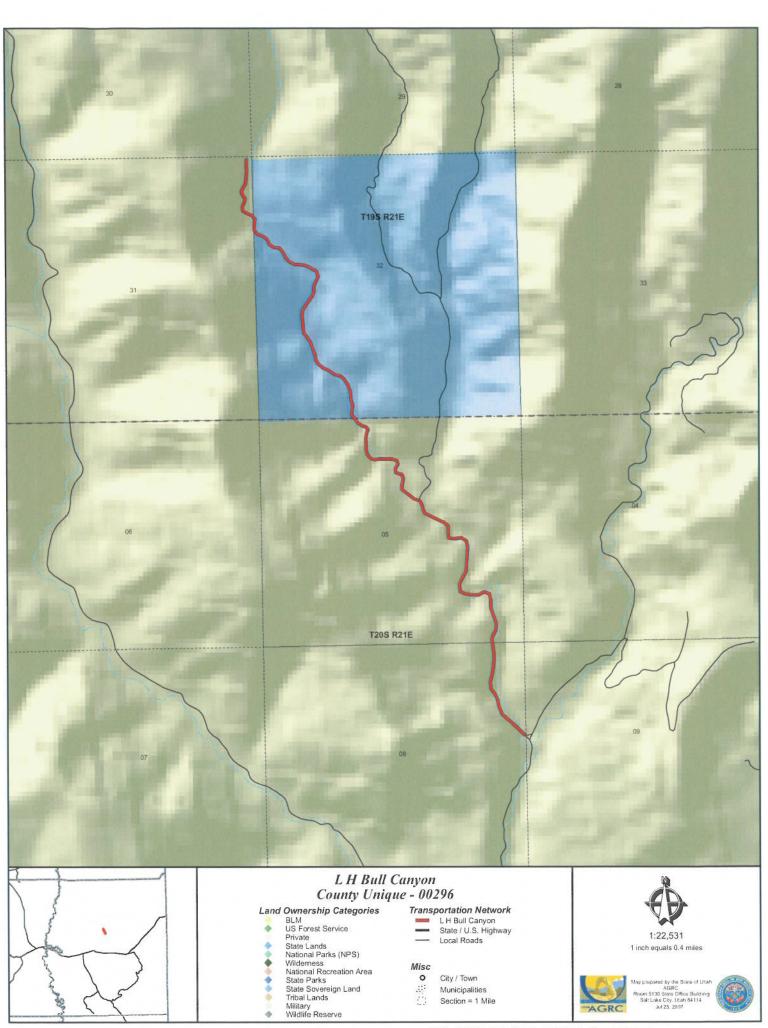
William W. Commingham
WILLIAM W. CUNNINGHAM

SUBSCRIBED AND SWORN to before me this ______ day of September, 2007.

NOTARY PUBLIC Reed

My Commission Expires: 1/27/2011





AFFIDAVIT OF NEAL SWISHER L H BULL CANYON ROAD GRAND COUNTY, UTAH

ROAD NUMBER 00296

State of Utah)
	: ss
County of Grand)

NEAL SWISHER, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Moab, Grand County, Utah. I have lived in Grand
 County since 1960. I worked in the oil fields of Grand County until I retired in the early 1990s.
- 2. I have traveled and am familiar with a road in Grand County known as L H Bull Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 2004 when I last observed it. Attached is a Grand County map showing L H Bull Canyon Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
 - 3. The County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 2004. Throughout this time period I observed travel on the road by means of jeeps, pickup trucks and ATVs. During this time period, the road was used weekly for more than ten continuous years prior to 1976 and was used weekly in 2004.
- 5. Throughout the time period from the early 1960s to 2004, I used the road myself for oil field work, rock hounding and recreation.

- 6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus, livestock operations, hunting, prospecting for minerals, oil and gas exploration and development and sightseeing.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 8. Prior to 1976, in the early 1960s when I worked for an oil field contractor, I participated in the first bulldozing and grading of the road, which had been a two track road previously. Since then I have observed road graders and heavy equipment performing maintenance and construction activities on the road.

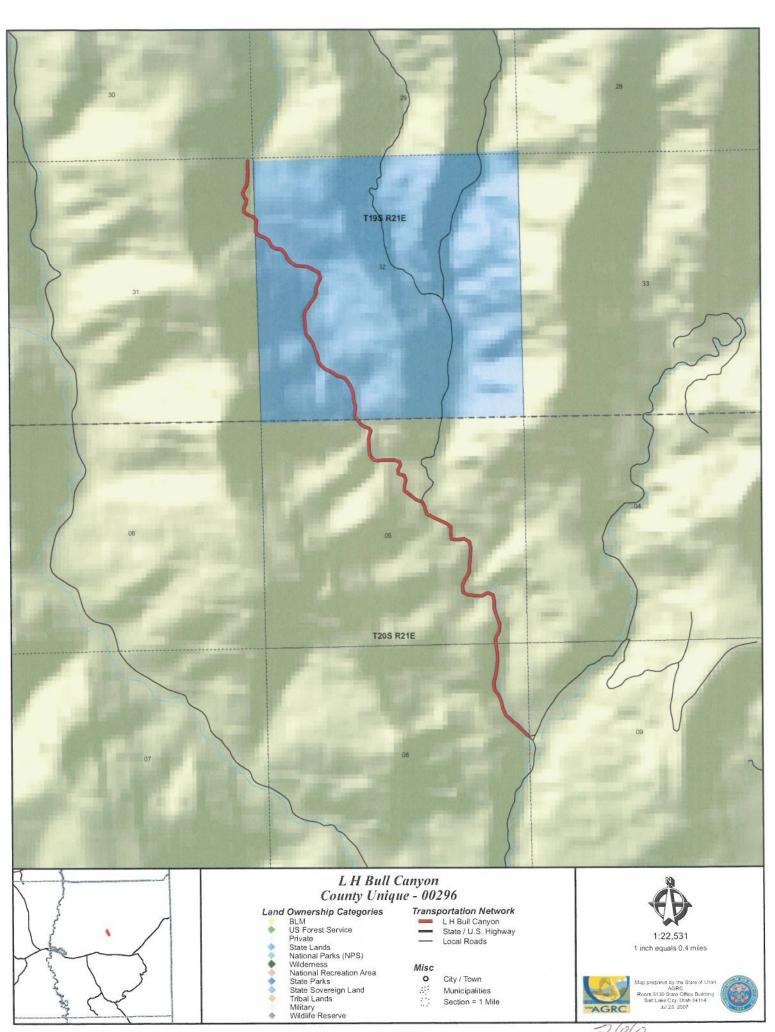
DATED this ____ day of August, 2007.

NEAL SWISHER

SUBSCRIBED AND SWORN to before me this 2 day of August, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



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Appendix A to Attachment 4

Popular Name: L H BULL CANYON ROAD

County: Grand

County Road Number: 00296

State Geographic Information Database (SGID) Road Identification Number: RD100143.

Road-Segment Number: 001

Road-Segment Length: 1.68 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 20 South Range 21 East, Section(s) 5,8, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (L H BULL CANYON ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 04 minutes 59.21 seconds North Latitude and -109 degrees 36 minutes 40.07 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,176,569.1 feet and Y = 6,840,428.9 feet; thence the following courses along the said road center line:

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thence North 45 Degrees 49 Minutes 16 Seconds West 16.4 feet thence North 44 Degrees 37 Minutes 15 Seconds West 139.8 feet thence North 44 Degrees 54 Minutes 35 Seconds West 156.6 feet thence North 50 Degrees 44 Minutes 46 Seconds West 149.3 feet thence North 49 Degrees 02 Minutes 43 Seconds West 156.7 feet thence North 23 Degrees 20 Minutes 55 Seconds West 156.9 feet thence North 11 Degrees 09 Minutes 55 Seconds West 138.7 feet thence North 25 Degrees 57 Minutes 45 Seconds West 134.7 feet thence North 37 Degrees 48 Minutes 24 Seconds West 138.5 feet thence North 03 Degrees 40 Minutes 37 Seconds West 144.6 feet thence North 13 Degrees 38 Minutes 04 Seconds East 162.3 feet
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thence North 08 Degrees 42 Minutes 19 Seconds East 146.2 feet
thence North 05 Degrees 50 Minutes 17 Seconds East 133.7 feet
thence North 00 Degrees 49 Minutes 46 Seconds West 121.4 feet
thence North 09 Degrees 38 Minutes 43 Seconds West 159.6 feet
thence North 06 Degrees 32 Minutes 46 Seconds West 64.9 feet
thence North 06 Degrees 30 Minutes 59 Seconds West 73.7 feet
thence North 15 Degrees 19 Minutes 54 Seconds East 76.7 feet
thence North 29 Degrees 37 Minutes 06 Seconds East 121.2 feet
thence North 00 Degrees 21 Minutes 48 Seconds East 151 feet
thence North 21 Degrees 05 Minutes 50 Seconds West 161.4 feet
thence North 16 Degrees 45 Minutes 22 Seconds West 162.5 feet
thence North 00 Degrees 34 Minutes 05 Seconds West 152.6 feet
thence North 13 Degrees 58 Minutes 56 Seconds West 119.9 feet
thence North 68 Degrees 15 Minutes 43 Seconds West 113.5 feet
thence South 61 Degrees 05 Minutes 15 Seconds West 130.3 feet
thence South 87 Degrees 36 Minutes 29 Seconds West 137.1 feet
thence North 78 Degrees 32 Minutes 40 Seconds West 144.5 feet
thence North 66 Degrees 11 Minutes 05 Seconds West 100.3 feet
thence North 04 Degrees 29 Minutes 41 Seconds West 149.7 feet
thence North 24 Degrees 29 Minutes 11 Seconds East 144.6 feet
thence North 28 Degrees 21 Minutes 34 Seconds East 147.8 feet
thence North 02 Degrees 59 Minutes 37 Seconds East 159.4 feet
thence North 05 Degrees 08 Minutes 02 Seconds East 169.8 feet
thence North 01 Degrees 04 Minutes 17 Seconds East 159.2 feet
thence North 12 Degrees 09 Minutes 50 Seconds West 124.1 feet
thence North 59 Degrees 38 Minutes 03 Seconds West 122.1 feet
thence South 81 Degrees 36 Minutes 45 Seconds West 152.3 feet
thence North 81 Degrees 14 Minutes 37 Seconds West 103.9 feet
thence North 03 Degrees 47 Minutes 07 Seconds West 105.2 feet
thence North 00 Degrees 07 Minutes 17 Seconds East 128 feet
thence North 50 Degrees 44 Minutes 30 Seconds West 118.4 feet
thence North 64 Degrees 45 Minutes 41 Seconds West 148.2 feet
thence North 64 Degrees 49 Minutes 09 Seconds West 110.5 feet
thence North 62 Degrees 04 Minutes 11 Seconds West 58.9 feet
thence North 62 Degrees 47 Minutes 47 Seconds West 102.9 feet
thence North 28 Degrees 04 Minutes 27 Seconds West 81.6 feet
thence North 09 Degrees 02 Minutes 10 Seconds West 81.3 feet
thence North 27 Degrees 17 Minutes 33 Seconds West 106.8 feet
thence North 65 Degrees 57 Minutes 18 Seconds West 11.9 feet
thence North 71 Degrees 41 Minutes 21 Seconds West 107.8 feet
thence North 55 Degrees 13 Minutes 03 Seconds West 114.1 feet
thence North 50 Degrees 53 Minutes 09 Seconds West 111 feet
thence North 51 Degrees 49 Minutes 59 Seconds West 92.2 feet
thence North 03 Degrees 53 Minutes 39 Seconds East 92.1 feet
thence North 15 Degrees 24 Minutes 52 Seconds East 119.3 feet
thence North 24 Degrees 03 Minutes 58 Seconds West 100.4 feet
thence North 79 Degrees 35 Minutes 12 Seconds West 61.6 feet
thence North 67 Degrees 42 Minutes 50 Seconds West 64 feet
thence North 04 Degrees 21 Minutes 42 Seconds West 79 feet
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thence North 31 Degrees 58 Minutes 05 Seconds East 104.8 feet
thence North 18 Degrees 34 Minutes 23 Seconds West 76 feet
thence North 73 Degrees 21 Minutes 47 Seconds West 106.8 feet
thence North 88 Degrees 51 Minutes 11 Seconds West 127 feet
thence South 87 Degrees 16 Minutes 17 Seconds West 117.8 feet
thence South 85 Degrees 08 Minutes 48 Seconds West 104.1 feet
thence North 75 Degrees 05 Minutes 18 Seconds West 68.6 feet
thence North 51 Degrees 20 Minutes 10 Seconds West 20.9 feet
thence North 40 Degrees 58 Minutes 10 Seconds West 95.1 feet
thence North 10 Degrees 17 Minutes 41 Seconds West 106.6 feet
thence North 00 Degrees 25 Minutes 48 Seconds East 108.3 feet
thence North 06 Degrees 41 Minutes 58 Seconds West 105.7 feet
thence North 08 Degrees 43 Minutes 13 Seconds East 103 feet
thence North 23 Degrees 09 Minutes 11 Seconds East 78.7 feet
thence North 35 Degrees 29 Minutes 19 Seconds West 66.2 feet
thence North 71 Degrees 34 Minutes 30 Seconds West 91.8 feet
thence North 56 Degrees 38 Minutes 37 Seconds West 103.5 feet
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thence North 33 Degrees 30 Minutes 18 Seconds West 84.4 feet more or less to the ending point at: 39 degrees 06 minutes 02.35 seconds North Latitude and -109 degrees 37 minutes 21.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,173,140.5 feet and Y = 6,846,745.8 feet.

Appendix B to Attachment 4

Popular Name: L H BULL CANYON ROAD

County: Grand

County Road Number: 00296

State Geographic Information Database (SGID) Road Identification Number: RD100143.

Road-Segment Number: 003

Road-Segment Length: 0.25 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 19 South Range 21 East, Section(s) 31, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (L H BULL CANYON ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 39 degrees 06 minutes 42.82 seconds North Latitude and -109 degrees 37 minutes 46.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,171,084.8 feet and Y = 6,850,798.1 feet; thence the following courses along the said road center line:

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thence North 37 Degrees 32 Minutes 09 Seconds West 20.4 feet thence North 65 Degrees 13 Minutes 54 Seconds West 100.6 feet thence North 59 Degrees 29 Minutes 19 Seconds West 105.6 feet thence North 04 Degrees 07 Minutes 30 Seconds West 83.9 feet thence North 21 Degrees 30 Minutes 16 Seconds East 95.5 feet thence North 09 Degrees 46 Minutes 47 Seconds East 81.7 feet thence North 38 Degrees 36 Minutes 20 Seconds West 60.6 feet thence North 27 Degrees 01 Minutes 14 Seconds West 82.6 feet thence North 24 Degrees 58 Minutes 40 Seconds East 92.6 feet thence North 26 Degrees 40 Minutes 44 Seconds East 93.9 feet thence North 11 Degrees 38 Minutes 43 Seconds East 77.2 feet
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thence North 01 Degrees 31 Minutes 02 Seconds West 49.2 feet
thence North 04 Degrees 09 Minutes 58 Seconds East 75.7 feet
thence North 08 Degrees 09 Minutes 58 Seconds East 59.7 feet
thence North 04 Degrees 06 Minutes 34 Seconds West 65.8 feet
thence North 02 Degrees 06 Minutes 32 Seconds West 32.8 feet
thence North 03 Degrees 11 Minutes 45 Seconds West 16.4 feet
thence North 04 Degrees 29 Minutes 15 Seconds West 31.3 feet
thence North 03 Degrees 42 Minutes 25 Seconds West 31.2 feet
thence North 00 Degrees 33 Minutes 45 Seconds West 49.2 feet
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thence North 01 Degrees 57 Minutes 25 Seconds East 9.9 feet more or less to the ending point at: 39 degrees 06 minutes 054.2 seconds North Latitude and -109 degrees 37 minutes 48.19 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,170,955.7 feet and Y = 6,851,947.3 feet.